

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE DISTRICT COUNCIL 9 PAINTING
INDUSTRY INSURANCE AND ANNUITY FUNDS,

Plaintiffs,

-against-

METAL TEK ARCHITECTURAL METAL & GLASS, INC.,

Defendant.

Index No. 08-CIV-0419 (KMK)

DEFAULT JUDGMENT

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: _____

This action having been commenced on January 16, 2008 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the Defendant, Metal Tek Architectural Metal & Glass, Inc. on January 24, 2008 via Secretary of State and said Proof of Service having been filed with the Clerk of the Court on January 31, 2008 and the defendant not having appeared, answered or otherwise moved with respect to the Complaint within the time allowed by law, and the time for appearing, answering or otherwise moving having expired it is,

ORDERED, ADJUDGED AND DECREED: that the plaintiffs have judgment against defendant in the liquidated amount of Five Thousand Four Hundred and Twenty Two Dollars and Sixty Six Cents (\$5,422.66), which includes the following: the principal amount owed in late charges in the sum of \$3,282.66 for the period June 30, 2001 through October 28, 2007, attorneys' fees in the sum of \$1,750.00; plus court costs and disbursements of this action in the sum of \$390.00.

ORDERED, that the Defendant permit and cooperate in the conduct of an audit of all of its books and records including, but not limited to, all payroll journals, business income tax returns,

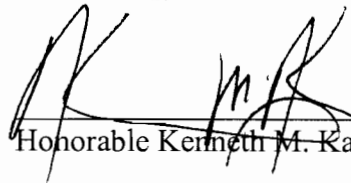
general ledger and journal, books of original entry, subsidiary ledgers, payroll records, bank statements, and cancelled checks, W-2 and W-3 forms, 940, 941, WT4-A and WT4-B forms, 1099 forms, New York State employment report, insurance reports, disability insurance reports, Workers Compensation report forms and remittance reports for the period January 1, 2005 through September 30, 2007 and directing, that judgment be entered thereon for the amount stated in the audit report including interest, liquidated damages, and auditors' fees.

ORDERED, that the Judgment rendered by the Court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant and the Clerk of the Court is directed to enter such judgment forthwith.

Dated: White Plains, New York

March 28, 2008

So Ordered:


Honorable Kenneth M. Karas, U.S.D.J.